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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN JOSE DIVISION**

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13 UNITED STATES OF AMERICA,

14 Plaintiff,

No. 5:16-CR-00211-LHK

15 vs.

16 VILASINI GANESH et al.,

17 Defendants.
18
19 _____/

20 **NOTICE OF UNPUBLISHED CASE**

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22 U.S. v. Diaz, (attached)

23 <http://cdn.ca9.uscourts.gov/datastore/opinions/2017/12/06/15-50538.pdf>

24 has language at page 10 that is potentially beneficial to the government in the 704(b) debate as
25 the Court seems to contemplate cases where opinions may, in order to be useful, touch or cross
26 the 704(b) line without violating the intent of 704(b).

Although unpublished, it is submitted for whatever benefit it provides to the discussion of this issue. The defense feels the facts in Diaz are significantly different than those in the present case.

Dated: December 10, 2017

/s/ _____
Daniel Horowitz
Attorney for Vilasini Ganesh